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09/655,226	09/05/2000	Yuka Sakazume	SONY-UO148	7761

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BELL, BOYD & LLOYD, LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

GAUTHIER, GERALD

ART UNIT PAPER NUMBER

2645

DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/655,226

Applicant(s)

SAKAZUME, YUKA

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti (US 6,295,284) in view of Sundhar (US 6,201,258) and in further view of Kawamura et al. (US 2001/0054069).

Regarding **claim 1**, Maggenti discloses an apparatus for providing fair access in a group communication system (column 1, lines 8-12), (which reads on claimed "a communication system in which a plurality of communication terminals (100 on FIG. 1), which are connected to a network including a Public Switched Network (130 on FIG. 1) in a category thereof, mutually communicate through communication data (160 on FIG. 1) addressed to a common phone number (column 6, line 60 "a telephone number") issued by a communication terminal (140 on FIG. 1) being a management terminal"), comprising:

a phone number management unit (140 on FIG. 1), provided in the network (column 6, lines 12-25);

means for registering a predetermined communication terminal (column 11, line 45 "one or members") so as to correspond to the issued common phone number by

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sending an identification name of the predetermined communication terminals of the plurality of communication terminals to the phone number management unit in correspondence with the common phone number issued from the management terminal (column 11, lines 41-67) [The processor receives a single access request for the push-to-talk system];

means for sending a message file (column 5, line 30 "a message") sent by accessing from a registered communication terminal (100 on FIG. 1) to the common phone number to other registered communication terminals (100 on FIG. 1) via the message management unit when a first mode in which the message file is to be directly sent to the other communication terminals is selected (column 5, lines 21-40) [each member communicates with one or more base stations generally using a common frequency].

Maggenti fails to disclose a message management unit.

However, Sundhar teaches a message management unit (101 on FIG. 1); and leaving the message file (column 3, line 32 "leave a message") in the message management unit and notifying the other registered communication terminals of arrival of the message file when a second mode (column 4, line 37 "constant light") in which any registered communication terminal accesses to the message management unit to receive the message file is selected (column 4, lines 23-43) [The system sends notification of the message to various telephone in the subscriber profile];

means for leaving a message (column 3, line 32 "leave a message") sent by accessing from a registered communication terminal (column 3, line 29 "phone

connection”) to the common phone number on the bulletin board unit (column 3, lines 27-38) [The system allows the caller to transfer to a different messaging system to leave a message]; and

means for reading at any time the message file left in the message management unit, in a case where the message file is left in the message management unit, and the message left on the bulletin board unit, in a case where the message is left on the bulleting board unit, from an arbitrary one of the other registered communication terminals (column 5, lines 5-10) [The subscriber accesses two different messaging system to receive the pending message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the voice mail server to allow the caller to leave a message for all the subscribers of Sundhar in the data network of Maggenti.

The modification of the invention would offer the capability of the voice mail server allowing the caller to leave a message for all the subscribers such as the system would provide an indication of the message at each phone for a communication between subscribers.

Maggenti and Sundhar fail to disclose a bulletin board.

However, Kawamura teaches a bulletin board unit (31 on FIG. 1).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the bulletin board unit for posting data of Kawamura in the invention of Maggenti and Sundhar.

The modification of the invention would offer the capability of the bulletin board unit for posting data such as the system would transmit various kinds of information for the users of the network.

Regarding **claims 2, 5, 8 and 11**, Sundhar discloses wherein each of the communication terminals has an identification name which is any one of a telephone number, an E-mail address and an identification number assigned to each of the communication terminal and an identification number assigned to a medium in a case where the communication terminal is capable of using the medium (column 3, lines 39-53).

Regarding **claims 3, 6, 9 and 12**, Sundhar discloses wherein the message file and the message contain one or more information mode selected from voice information, character information and image information, respectively (column 3, lines 27-38).

Regarding **claim 4**, Maggenti discloses an apparatus for providing fair access in a group communication system (column 1, lines 8-12), (which reads on claimed "a communication system in which a plurality of communication terminals, which are connected to a network including a Public Switched Network in a category thereof, mutually communicate through communication data addressed to a common phone

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number issued by a communication terminal being a management terminal”),
comprising:

a phone number management unit (140 on FIG. 1), provided in the network
(column 6, lines 12-25);

means for registering, after being accessed by an arbitrary one of the plurality of
communication terminals using the issued common phone number and receiving a
confirmation by the management terminal, the arbitrary one of the communication
terminals in correspondence with the common phone number issued from the
management terminal (column 11, lines 41-67) [The processor receives a single access
request for the push-to-talk system];

means for sending a message file sent by accessing from a registered
communication terminal to the common phone number to other registered
communication terminals via the message management unit when a first mode in which
the message file is to be directly sent to the other communication terminals is selected
(column 5, lines 21-40) [each member communicates with one or more base stations
generally using a common frequency].

Maggenti fails to disclose a message management unit.

However, Sundhar teaches a message management unit (101 on FIG. 1);

and leaving the message file (column 3, line 32 “leave a message”) in the
message management unit when a second mode (column 4, line 37 “constant light”) in
which any registered communication terminal accesses to the message management

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unit to receive the message file is selected (column 4, lines 23-43) [The system sends notification of the message to various telephone in the subscriber profile];

means for leaving a message (column 3, line 32 "leave a message") sent by accessing from a registered communication terminals (column 3, line 29 "phone connection") to the common phone number on the bulletin board unit (column 3, lines 27-38) [The system allows the caller to transfer to a different messaging system to leave a message]; and

means for reading at any time the message file left in the message management unit, in a case where the message file is left in the message management unit, and the message left on the bulletin board unit, in a case where the message is left on the bulletin board unit, from an arbitrary one of the other registered communication terminals (column 5, lines 5-10) [The subscriber accesses two different messaging system to receive the pending message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the voice mail server to allow the caller to leave a message for all the subscribers of Sundhar in the data network of Maggenti.

The modification of the invention would offer the capability of the voice mail server allowing the caller to leave a message for all the subscribers such as the system would provide an indication of the message at each phone for a communication between subscribers.

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It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the bulletin board unit for posting data of Kawamura in the invention of Maggenti and Sundhar.

The modification of the invention would offer the capability of the bulletin board unit for posting data such as the system would transmit various kinds of information for the users of the network.

Regarding **claim 7**, Maggenti discloses a method for providing fair access in a group communication system (column 1, lines 8-12), (which reads on claimed "a communication method in which a plurality of communication terminals, which are connected to a network including a Public Switched Network in a category thereof, mutually communicate through communication data addressed to a common phone number issued by a communication terminal being a management terminal"), wherein:

the network is provided with a phone number management unit (140 on FIG. 1), and the method comprising the steps of:

registering a predetermined communication terminal so as to correspond to the issued common phone number by sending an identification name of the predetermined communication terminal of the plurality of communication terminals to the phone number management unit in correspondence with the common phone number issued from the management terminal (column 11, lines 41-67) [The processor receives a single access request for the push-to-talk system];

sending a message file sent by accessing from a registered communication terminal to the common phone number to other registered communication terminals via the message management unit when a first mode in which the message file is to be directly sent to the other communication terminals is selected (column 5, lines 21-40) [each member communicates with one or more base stations generally using a common frequency].

Maggenti fails to disclose a message management unit.

However, Sundhar teaches a message management unit (101 on FIG. 1); and leaving the message file (column 3, line 32 "leave a message") in the message management unit and notifying the other registered communication terminals of arrival of the message file when a second mode (column 4, line 37 "constant light") in which any registered communication terminal accesses to the message management unit to receive the message file is selected (column 4, lines 23-43) [The system sends notification of the message to various telephone in the subscriber profile];

leaving a message (column 3, line 32 "leave a message") sent by accessing from a registered communication terminal (column 3, line 29 "phone connection") to the common phone number on the bulletin board unit (column 3, lines 27-38) [The system allows the caller to transfer to a different messaging system to leave a message]; and

reading at any time the message file left in the message management unit or the message left on the bulletin board unit from an arbitrary one of the registered communication terminals (column 5, lines 5-10) [The subscriber accesses two different messaging system to receive the pending message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the voice mail server to allow the caller to leave a message for all the subscribers of Sundhar in the data network of Maggenti.

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The modification of the invention would offer the capability of the bulletin board unit for posting data such as the system would transmit various kinds of information for the users of the network.

Regarding **claim 10**, Maggenti discloses a method for providing fair access in a group communication system (column 1, lines 8-12), (which reads on claimed "a communication method in which a plurality of communication terminals, which are connected to a network including a Public Switched Network in a category thereof, mutually communicate through communication data addressed to a common phone number issued by a communication terminal being a management terminal"), wherein:

the network is provided with a phone number management unit (140 on FIG. 1), and the method comprising the steps of:

registering, after being accessed by an arbitrary one of the plurality of communication terminals using the issued common phone number and receiving a confirmation by the management terminal, the arbitrary one of the communication terminals in correspondence with the common phone number issued from the management terminal (column 11, lines 41-67) [The processor receives a single access request for the push-to-talk system];

sending a message file sent by accessing from a registered communication terminal to the common phone number to other registered communication terminals via the message management unit when a first mode in which the message file is to be directly sent to the other communication terminals is selected (column 5, lines 21-40) [each member communicates with one or more base stations generally using a common frequency].

Maggenti fails to disclose a message management unit.

However, Sundhar teaches a message management unit (101 on FIG. 1) and leaving the message file (column 3, line 32 "leave a message") in the message management unit when a second mode (column 4, line 37 "constant light") in which any registered communication terminal accesses to the message management unit to receive the message file is selected (column 4, lines 23-43) [The system sends notification of the message to various telephone in the subscriber profile];

leaving a message (column 3, line 32 "leave a message") sent by accessing from a registered communication terminal (column 3, line 29 "phone connection") to the common phone number on the bulletin board unit (column 3, lines 27-38) [The system allows the caller to transfer to a different messaging system to leave a message]; and

reading at any time the message file left in the message management unit, in a case where the message file is left in the message management unit and the message left on the bulletin board unit, in a case where the message is left on the bulletin board unit, from an arbitrary one of the other registered communication terminals (column 5, lines 5-10) [The subscriber accesses two different messaging system to receive the pending message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the voice mail server to allow the caller to leave a message for all the subscribers of Sundhar in the data network of Maggenti.

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The modification of the invention would offer the capability of the bulletin board unit for posting data such as the system would transmit various kinds of information for the users of the network.

Response to Arguments

3. Applicant's arguments with respect to **claims 1-12** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


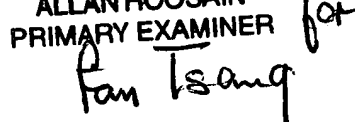
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
October 16, 2003


ALLAN HOOSAIN
PRIMARY EXAMINER
 for